



## ***FULL COUNCIL REPORT***

Date Written	9 <sup>th</sup> April 2024
Report Author	Liam Hull
Service Area	Finance
Exempt/Non Exempt	Non-Exempt
Committee Date	17 <sup>th</sup> April 2024

## **Funding of Election Expenses**

### **1.0 SUMMARY OF THE REPORT**

- 1.1 The Council is required to appoint a Returning Officer to oversee the successful delivery of elections. This role is separate to their duties as a local government officer.
- 1.2 Funding of all elections, other than local government (by)-elections is provided to the Local Authority via UK Government and / or Welsh Government consolidated funds. This funding is received through an advance.
- 1.3 In the event of unforeseen circumstances where the advance payment is insufficient, there is currently no mechanism in place to utilise Council resources to deliver an election successfully.

### **2.0 RECOMMENDATION that**

- 2.1 The proposal to delegate authority to the Section 151 Officer (in conjunction with the Chief Executive) to utilise Council resources to ensure the successful delivery of elections, recognising that the costs will be reimbursed by the relevant government, be approved.

### **3.0 INTRODUCTION AND BACKGROUND**

- 3.1 In accordance with Section 35(1) of the Representation of the People Act 1983, Merthyr Tydfil County Borough Council is required to appoint an officer of the Council to be Returning Officer to oversee the successful delivery of elections.

- 3.2 This role is separate from their duties as a local government officer, as they are not responsible to the local authority, but are directly accountable to the courts as an independent statutory office holder.
- 3.3 Whilst the costs for running local government (by)-elections are paid for by the local authority, expenditure for all other elections are reimbursed via UK Government and Welsh Government consolidated funds.
- 3.4 An advance is received based on a maximum recoverable amount defined in a Fees and Charges Order and all expenditure must be accounted for on the basis that it was necessary for the efficient and effective running of the poll.

**4.0 FUNDING OF EXPENSES IN ADVANCE OF PAYMENT**

- 4.1 Whilst an advance is received for the delivery of the election as set out in Section 3.4, in the event of unforeseen circumstances, the advance may be insufficient to cover the full cost of delivering an election successfully. This is of particular concern this year given changes to election legislation and uncertainty over the timing of a General Election.
- 4.2 If this situation were to occur, there would be a requirement to utilise Council resources to deliver the election successfully, before submitting a reimbursement claim to the relevant body.
- 4.3 Whilst this would have a nil overall financial impact to the Authority, the Chief Executive, in their substantive role, or in their role as Returning Officer, does not currently have the authority to utilise Council resources in that way.
- 4.4 It is proposed that to ensure the successful delivery of future elections, Council delegates authority to the Section 151 Officer (in conjunction with the Chief Executive) to approve the use of Council resources for this purpose where required, recognising that funding will be reimbursed by the relevant government.

**5.0 FINANCIAL IMPLICATIONS**

- 5.1 The proposal has a nil overall financial effect, as any Council resources utilised to deliver an election will ultimately be reimbursed by the relevant government.

**6.0 INTEGRATED IMPACT ASSESSMENT**

6.1			
	<b>Positive Impacts</b>	<b>Negative Impacts</b>	<b>Neutral</b>
<b>1. Merthyr Tydfil Well-being Objectives</b>	0 of 4	0 of 4	4 of 4
<b>2. Sustainable Development Principles</b>	0 of 5	0 of 5	5 of 5

<b>3. Protected Characteristics</b> (including Welsh Language)	0 of 10	0 of 10	10 of 10
<b>4. Socio-economic Disadvantage</b>	0 of 6	0 of 6	6 of 6
<b>5. Decarbonisation</b>	0 of 6	0 of 6	6 of 6
<b>6. Biodiversity and the resilience of Ecosystems</b>	<b>Maintained</b>	<b>Enhanced</b>	<b>Reduced</b>
	1 of 1	0 of 1	0 of 1
<b>7. Consultation and Engagement</b>	<b>Undertaken</b>	<b>Due to be Undertaken</b>	<b>Not Required</b>
	0 of 1	0 of 1	1 of 1
<b>8. Data and Evidence</b>	<b>Yes</b>		<b>No</b>
	0 of 1		1 of 1
<b>Summary</b>			
<b>The main positive impacts are:</b>	None identified		
<b>The main negative impacts are:</b>	None identified.		

**ELLIS COOPER**  
**CHIEF EXECUTIVE**

**COUNCILLOR ANDREW BARRY**  
**CABINET MEMBER FOR GOVERNANCE**  
**AND RESOURCES**

<b>BACKGROUND PAPERS</b>		
<b>Title of Document(s)</b>	<b>Document(s) Date</b>	<b>Document Location</b>
<b>Does the report contain any issue that may impact the Council's Constitution?</b>		No

***Consultation has been undertaken with the Corporate Management Team in respect of each proposal(s) and recommendation(s) set out in this report.***